IN THE HIGH COURT OF JUDICATURE AT PATNA

Cr.Misc. No.27960 of 2008

CHANDAN RAI

Versus

STATE OF BIHAR

2/ 14.8.2008 Heard learned counsel for the petitioner, learned Addl.P.P. and learned counsel appearing for the informant.

The informant's cousin Umesh Rai was fired upon by Suresh Rai on his chest and thereafter, according to allegation, this petitioner gave a bhala blow which caused injury upon the head of Umesh Rai. The injured Umesh Rai after receiving injuries fell down and died.

Submission is that the allegation against this petitioner is for causing bhala injury on the head of the deceased but there is no injury of bhala blow and according to postmortem report, which is annexed to this application as annexure-2, the death was caused by fire arm injury which is attributed to co-accused Suresh Rai.

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The prayer for bail of the petitioner has been opposed by learned counsel appearing for the informant.

Considering the facts and circumstances of the case, let the petitioner Chandan Rai be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Patna City in Gaurichak P.S.Case No. 108 of 2007.

Tahir/- **(Shyam Kishore Sharma, J.)**

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